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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,168	09/25/2003	Mordechai Lev	HOME 0682 PUS	7012
22045	7590	05/04/2005	EXAMINER	
BROOKS KUSHMAN P.C. 1000 TOWN CENTER TWENTY-SECOND FLOOR SOUTHFIELD, MI 48075			AMARI, ALESSANDRO V	
			ART UNIT	PAPER NUMBER
			2872	

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/671,168

Applicant(s)

LEV ET AL. 

Examiner

Alessandro V. Amari

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) 1-40 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 41-55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/15/04 &amp; 2/24/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Claims 1-40 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 10 February 2005.

### ***Claim Objections***

2. Claims 42, 43, 52-54 and 55 are objected to because of the following informalities:

Regarding claim 42, line 3, the phrase, "the at least one switch" has no prior mention in the claim 41. It is unclear whether the phrase, "at least one user selectable switch" in claim 41, line 22 is the "at least one switch" recited in claim 42.

Regarding claim 43, line 5, the phrase, "the at least one switch" has no prior mention in the claim 41. It is unclear whether the phrase, "at least one user selectable switch" in claim 41, line 22 is the "at least one switch" recited in claim 42.

Regarding claim 52, lines 2-4, the phrases "the at least one first light source" and "the at least one second light source" have no prior mention in claims 48 and 41. Claims 53 and 54 inherit the same issue due to their dependence on claim 52.

Regarding claim 55, lines 2-7, the phrases "the at least one first switch" and "the at least one first light source" and "the at least one second light source" have no prior mention in claims 48 and 41.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 41, 44 and 48-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zadro US 6,305,809 in view of DeLine et al US 6,172,613.

In regard to claim 41, Zadro teaches (see Figures 1-3) a double sided cosmetic mirror comprising a housing (14) with a first end opening and a second end opening; a first substrate (12) having a first peripheral edge, a first front surface and an opposed first rear surface, the first peripheral edge being affixed within the first opening of the housing as described in column 4, lines 54-63; a first reflective coating (13) provided on one of first front and the first rear surfaces, the first reflective coating causing the first substrate to be reflective when viewed by a user from the first surface side as shown in Figures 1-2; a second substrate having a curvature substantially different from the first substrate (15), the second substrate having a second peripheral edge, a second front surface, and an opposed second rear surface, the second peripheral edge being affixed within the second opening of the housing as described in column 4, lines 64-68 and column 5, lines 1-5; a second reflective coating (16) provided on one of the second front and the second rear surfaces, the second reflective coating causing the second substrate to be reflective when viewed by the user from the second front surface side as

shown in Figure 3. Regarding claim 44, Zadro teaches (see Figures 1-3) a support base (18) and a pivot axle (23) mounted to the support base and pivotably attached to the housing for rotating the housing about the pivot axle and thereby allowing the user to rotate the housing about the pivot axle to view the first front surface and the second front surface as described in column 5, lines 15-20.

However, in regard to claim 41, Zadro does not teach a first information display oriented the first substrate for being viewable by a user; a second information display oriented the second substrate for being viewable by the user; an information source circuit connected to and controlling both the first and second information displays; and at least one user selectable switch cooperating with the information source circuit for controlling the first and second information displays.

In regard to claim 41, DeLine et al teaches (see Figure 18) an information display (430) oriented to a substrate for being viewable by a user; an information source circuit connected to and controlling the display and at least one user selectable switch cooperating with the information source circuit for controlling the display as described in column 22, lines 41-66.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the display, information source circuit and switch as taught by DeLine et al in each of the substrates in the mirror of Zadro in order to readily provide information about the ambient environment (e.g., time, temperature) to the user.

Regarding claim 48, DeLine et al teaches non-reflective portions in the substrate as shown in Figure 18 and as described in column 30, lines 59-63.

Regarding claim 49, DeLine et al teaches that the non-reflective portion is an opening in the substrate as shown in Figure 18 and as described in column 30, lines 59-63.

Regarding claim 50, DeLine et al teaches the non-reflective portion is a substrate window in the substrate as shown in Figure 18 and as described in column 30, lines 59-63.

Regarding claim 51, DeLine et al teaches that the non-reflective portion cooperates with the display as shown in Figure 18 and as described in column 30, lines 59-63.

5. Claims 42, 43, 52 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zadro US 6,305,809 in view of DeLine et al US 6,172,613 and further in view of Corinaldi US 3,377,474.

Regarding claims 42, 43, 52 and 55, Zadro in view of DeLine et al teaches the invention as set forth above and in regard to claim 55, does teach at a non reflective portion oriented with at least one switch providing control of the information display as described in column 22, lines 41-66 of DeLine et al but in regard to claim 42 does not teach further comprising at least one light source received by the housing and the at least one switch controlling the light source for selective operation thereof and in regard to claim 43 does not teach at least one first light source mounted on first substrate, at least one second light source mounted on second substrate and the at least one switch controlling the at least one first light source and at least one second light source for selective operation thereof and in regard to claim 52, does not teach that the first non

reflective portion cooperates with a first light source and a second non-reflective portion cooperates with a second light source and in regard to claim 55 does not teach a non-reflective portion with a switch controlling the at least one first light source.

Regarding claim 42, Corinaldi teaches (see Figures 1-5) one light source (3) received in a housing and at least one switch (4, 5, 6) to control the light source as described in column 2, lines 6-19.

Regarding claim 43, Corinaldi teaches (see Figures 1-5) a light source (3) mounted on a substrate and at least one switch (4, 5, 6) controlling the light source for selective operation thereof as described in column 2, lines 6-19.

Regarding claim 52, Corinaldi teaches (see Figures 1-5) that a non reflective portion (9, 10) cooperates with a light source (3) as described in column 2, lines 24-31.

Regarding claim 55, Corinaldi does teach (see Figures 1-5) a non-reflective portion (9, 10) with a switch (4, 5, 6) controlling the at least one first light source (3) as described in column 2, lines 6-31.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the light source and switch as taught by Corinaldi in the mirror of Zadro in view of DeLine et al in order to provide better illumination for the user.

6. Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zadro US 6,305,809 in view of DeLine et al US 6,172,613 and further in view of Pastore US 4,588,267.

Regarding claim 45, Zadro in view of DeLine et al teaches the invention as set forth above but does not teach that the information source circuit is a clock circuit.

Regarding claim 45, Pastore teaches (see Figure 1) that the information source circuit is a clock circuit as described in column 2, lines 25-33.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the clock circuit of Pastore in the mirror of Zadro in view of DeLine et al in order to readily provide time information to the user.

7. Claims 46 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zadro US 6,305,809 in view of DeLine et al US 6,172,613 and further in view of Hourmand US 5,796,183.

Regarding claims 46 and 47, Zadro in view of DeLine et al teaches the invention as set forth above but does not teach in regard to claim 46 that the substrates are provided with at least one touch sensor and in regard to claim 47, that the at least one user selectable switch is a capacitive switching circuit button.

Regarding claim 46, Hourmand teaches (see Figure 4) a touch sensor (450) as described in column 11, lines 60-67 and column 12, lines 1-49.

Regarding claim 47, Hourmand teaches that the at least one user selectable switch is a capacitive switching circuit button as described in column 11, lines 60-67 and column 12, lines 1-49.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the touch sensor and capacitive switching circuit button as taught by Hourmand in the mirror of Zadro in view of DeLine et al in order to provide for a switch that is less susceptible to wear and fatigue.



8. Claim 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zadro US 6,305,809 in view of DeLine et al US 6,172,613 and in view of Corinaldi US 3,377,474 and further in view of Hubner US 4,314,314.

Regarding claim 53, Zadro in view of DeLine et al and in view of Corinaldi teaches the invention as set forth above but does not teach that the light source provides a plurality of lighting modes including a night light setting.

Regarding claim 53, Hubner teaches that the light source provides a plurality of lighting modes including a night light setting as described in column 2, lines 42-56.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize light source with a plurality of lighting modes as taught by Hubner in the mirror of Zadro in view of DeLine et al and in view of Corinaldi in order to provide the user the ability to apply make-up under different lighting conditions to observe the different effects on the user.

9. Claim 54 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zadro US 6,305,809 in view of DeLine et al US 6,172,613 and further in view of Corinaldi US 3,377,474 and further in view of Guerrieri US 6,848,807.

Regarding claim 54, Zadro in view of DeLine et al and in view of Corinaldi teaches the invention as set forth above but does not teach that the light source includes an automatic shut off feature.

Regarding claim 54, Guerrieri teaches that a light source includes an automatic shut off feature as described in column 4, lines 10-21.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the automatic shut off feature as taught by Guerrieri in the mirror of Zadro in view of DeLine et al and further in view of Corinaldi in order that power need not be wasted or that battery power be needlessly depleted.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alessandro V. Amari whose telephone number is (571) 272-2306. The examiner can normally be reached on Monday-Friday 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on (571) 272-2312. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ava  
25 April 2005

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